

STATE OF TEXAS

December 14, 2009

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 14<sup>th</sup> day of December 2009, the Honorable Commissioner's Court of Johnson County, Texas, met in Regular Session at the Johnson County Courthouse thereof, in the City of Cleburne, Johnson County, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same. The meeting was called to order at 9:00 A.M., with all members present, and following the Invocation led by Pastor Eddie Freeman of Henderson Baptist Church, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on December 10, 2009 at 1:05 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Comm. Jerry Stringer announced an Open House would be held at Precinct #3, Thursday December 17, 2009 from 3:00 P.M. to 7:00 P.M.

County Judge Roger Harmon announced that Agenda Items to be placed on the next Commissioner's Court Agenda of December 28, 2009 would have a deadline of 5:00 P.M. on December 17, 2009.

V. PUBLIC PARTICIPATION

None.

## VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:07 A.M. to discuss:

1. "TO DECREASE SPEED LIMIT FOR PASSENGER CARS AND TRUCKS FROM 40 MPH TO 30 MPH ON CR 711, FROM THE INTERSECTION WITH FM 917 TO THE INTERSECTION WITH CR 711 C, PRECINCT #3"

Commissioner Stringer spoke in support to decrease the speed limit for passenger cars and trucks from 40 mph to 30 mph on CR 711, from the intersection with FM 917 to the intersection with CR 711 C, in Precinct #3. He also stated that he has a petition with 18 names of residents who live on CR 711 in support of the decrease in speed limit. The hearing was closed at 9:09 A.M.

The Commissioner's Court opened a Public Hearing at 9:09 A.M. to discuss:

2. "LEASE COUNTY OWNED LAND FOR MINERAL DEVELOPMENT ON THE FOLLOWING PROPERTY: 1.24 ACRES LOCATED IN THE C. CHANEY SURVEY, ABSTRACT 124 (BLOCK 24 MARKET SQUARE), CLEBURNE, TEXAS, PRECINCT #1"

Commissioner Bailey spoke in support of re-bidding this item since the minimum requirements were not met. The hearing was closed at 9:10 A.M.

The Commissioner's Court opened a Public Hearing at 9:10 A.M. to discuss:

3. "LEASE COUNTY OWNED LAND FOR MINERAL DEVELOPMENT ON THE FOLLOWING PROPERTY: 3.734 ACRES LOCATED IN THE C. CHANEY SURVEY, ABSTRACT 124 (TRACT 1-4), CLEBURNE, TEXAS, PRECINCT #1"

Commissioner Bailey spoke in support of re-bidding this item since the minimum requirements were not met. The hearing was closed at 9:12 A.M.

## VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2009-26** "DECREASE OF SPEED LIMIT FOR PASSENGER CARS AND TRUCKS FROM 40 MPH TO 30 MPH ON CR 711, FROM THE INTERSECITON WITH FM 917 TO THE INTERSECTION WITH CR 711 C, PRECINCT #3, JOHNSON COUNTY, TEXAS"

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve **Order #2009-26** to “Decrease Speed Limit for Passenger Cars and Trucks from 40 MPH to 30 MPH on CR 711, from the Intersection with FM 917 to the Intersection with CR 711C, Precinct #3, Johnson County, Texas”.

All voted aye; motion carried.

2. **RFP 2010-308-LEASE OF COUNTY OWNED LAND FOR MINERAL DEVELOPMENT ON THE FOLLOWING PROPERTY: 1.24 ACRES LOCATED IN THE C. CHANEY SURVEY, ABSTRACT 124 (BLOCK 24 MARKET SQUARE), CLEBURNE, TEXAS, PRECINCT #1**

Comm. Bailey, seconded by Comm. Matthews, made a motion to deny **RFP 2010-308** for Lease of County Owned Land for Mineral Development on the Following Property: 1.24 Acres located in the C. Chaney Survey, Abstract 124 (Block 24 Market Square), Cleburne, Texas, Precinct #1.

All voted aye; motion carried.

3. **RFP 2010-307-LEASE OF COUNTY OWNED LAND FOR MINERAL DEVELOPMENT ON THE FOLLOWING PROPERTY: 3.734 ACRES LOCATED IN THE C. CHANEY SURVEY, ABSTRACT 124 (TRACT 1-4), CLEBURNE, TEXAS, PRECINCT #1**

Comm. Bailey, seconded by Comm. Matthews, made a motion to deny **RFP 2010-307** for Lease of County Owned Land for Mineral Development on the Following Property: 3.734 Acres located in the C. Chaney Survey, Abstract 124 (Tract 1-4), Cleburne, Texas, Precinct #1.

All voted aye; motion carried.

5. **ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITOR’S REPORTS TO THE COMMISSIONER’S COURT**

The Commissioner’s Court acknowledged the receipt of the County Auditor’s Reports.

6. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT:

a. September 28, 2009-Regular Session

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Commissioner's Court Minutes for September 28, 2009 as submitted by the County Clerk.

All voted aye; motion carried.

7. CONSIDERATION TO AWARD RFP'S:

a. **RFP 2010-302-Fire Alarm System for the Johnson County Law Enforcement Center, Corrections #1**

Comm. Beeson, seconded by Comm. Stringer, made a motion to award **RFP 2010-302** for a fire alarm system for the Johnson County Law Enforcement Center, Corrections # 1 to Force One Security Solutions in the amount of \$56,298.00 turn key with an annual maintenance agreement of \$6,800.00.

All voted aye; motion carried.

8. CONSIDERATION TO AWARD RFB'S:

a. **RFB 2010-311-Purchase of 2007 Chevrolet 1500 Crew Cab Pick-Up Truck-Sheriff**

Comm. Stringer, seconded by Comm. Beeson, made a motion to award **RFB 2010-311** for the purchase of a 2007 Chevrolet 1500 Crew Cab Pick-Up Truck for the Sheriff's Office in the amount of \$22,045.00 to Jeff England Motor Company to be paid from Forfeiture Funds.

All voted aye; motion carried.



b. **RFB 2010-312-Signs, Markers and Hardware for Johnson County**

Comm. Bailey, seconded by County Judge Roger Harmon, made a motion to award **RFB 2010-312** to Custom Products as the Primary Vender and Osburn Associates, Inc. as the Secondary Vender.

Motion died for lack of majority.

Comm. Matthews, seconded by Comm. Stringer, made a motion to award **RFB 2010-312** to Custom Products as the Primary Vender; Osburn Associates, Inc. and Vulcan Sign as Secondary Venders.

All voted aye; motion carried.

4. **CONSIDERATION OF REQUEST TO PAY BILLS**

Comm. Matthews, seconded by Comm. Stringer, made a motion to pay bills as presented by the County Auditor.

All voted aye; motion carried.

VIII. **UNFINISHED BUSINESS**

4. **CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE**

Discussion. No Action.

5. **CONSIDERATION OF RECURRING ITEMS CONCERNING HAMM CREEK PARK**

a. **Annual Boat Pass**

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve an Annual Day and Boat Pass as a combined pass in the amount of \$75.00 per year and an Annual Pass in the Amount of \$45.00 for Hamm Creek Park.

All voted aye; motion carried.

b. Pass Replacement Fee

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve a Free Replacement Pass for the 1<sup>st</sup> time with a Replacement Fee of \$30.00 there after for Hamm Creek Park.

All voted aye; motion carried.

c. Flagpoles

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the flagpoles for Hamm Creek Park.

All voted aye; motion carried.

6. CONSIDERATION OF RECURRING ITEMS CONCERNING NTTA/TXDOT-STATE HIGHWAY 121-SOUTHWEST PARKWAY/CHISHOLM TRAIL CORRIDOR

Discussion. No Action.

7. CONSIDERATION OF CONSTABLE PRECINCT #1 OFFICE MOVING TO THE OLD JAIL BUILDING

Discussion. No Action.

VII. PRECEDING BUSINESS

8. CONSIDERATION TO AWARD RFB'S:

c. **Project #1526-08-Custom Furniture for the Law Library**

Comm. Bailey, made a motion to award **Project #1526-08** for Custom Furniture for the Law Library to Reznikoff Custom Furniture, Inc. in the amount of \$141,698.00 to be paid from the Law Library Fund.

Motion died for lack of second.

Comm. Beeson, seconded by Comm. Stringer, made a motion to award **Project #1526-08** for Custom Furniture for the Law Library to Metrolex Handling System in the amount of \$127,255.00 to be paid from the Law Library Fund.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

1. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR ADULT PROBATION BUILDING

No Action.

2. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS AND CONTRACTS FOR REMODELING OF THE OLD BAND HALL FOR JUSTICE OF THE PEACE, PRECINCT #1 OFFICES

Discussion. No Action.

3. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS AND CONTRACTS FOR EXPANSION OF NORTH AND SOUTH ENDS OF THE 3<sup>RD</sup> FLOOR AT THE GUINN JUSTICE CENTER

No Action.

IX. NEW BUSINESS

8. CONSIDERATION TO UPGRADE THE COUNTY INTERNET GATEWAY BANDWIDTH TO INCREASE USAGE AND NEEDS

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve Cole Lancaster, ISS Director to move forward with a proposed 36 month contract with AT&T to upgrade the County Internet Gateway Bandwidth to increase usage and need.

All voted aye; motion carried.

14. CONSIDERATION TO RENEW THE LEASE FOR THE JOHNSON COUNTY FIRE TRAINING CENTER

Comm. Stringer, seconded by Comm. Matthews, made a motion to terminate the lease for the Johnson County Fire Training Center.

All voted aye; motion carried.

4. CONSIDERATION OF THE MARCH 2, 2010 PRIMARY ELECTION:

a. Early Voting Polling Locations

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Early Voting Polling Locations for the March 2, 2010 Primary Election.

All voted aye; motion carried.

b. Early Voting Head Clerks

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Early Voting Head Clerks for the March 2, 2010 Primary Election.

All voted aye; motion carried.

c. Early Voting Ballot Board

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Early Voting Ballot Board for the March 2, 2010 Primary Election.

All voted aye; motion carried.

d. Election Day Polling Locations

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Election Day Polling Locations for the March 2, 2010 Primary Election.

All voted aye; motion carried.

e. Election Day Judges

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Election Day Judges for the March 2, 2010 Primary Election.



All voted aye; motion carried.

5. CONSIDERATION OF TARRANT-PARKER-DENTON-JOHNSON  
COUNTIES MEDICAL EXAMINER DISTRICT AGREEMENT/ORDER FOR  
FISCAL YEAR 2010

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Tarrant-Parker-Denton-Johnson Counties Medical Examiner District Agreement/Order for Fiscal Year 2010.

All voted aye; motion carried.

**THE COMMISSIONER'S COURT** recessed at 11:09 A.M. and reconvened at 11:19 A.M. at the Old Band Hall Building that is being renovated for Justice of the Peace and Constable, Precinct #1 Offices to consider the following:

VIII. UNFINISHED BUSINESS

7. CONSIDERATION OF CONSTABLE PRECINCT #1 OFFICE MOVING TO  
THE OLD JAIL BUILDING

Discussion. No action.

**THE COMMISSIONER'S COURT** recessed at 11:35 A.M. and reconvened at 1:19 P.M. in the Commissioner's Court Room at the Court House to consider the following:

VIII. UNFINISHED BUSINESS

7. CONSIDERATION OF CONSTABLE PRECINCT #1 OFFICE MOVING TO  
THE OLD JAIL BUILDING

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve for Constable Precinct #1 Office to remain at its present location at the Sheriff's Office with future renovations.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Matthews, seconded by Comm. Stringer, made a motion to advertise for bids/proposals for Sheriff's Office-on call vendor for stray live stock; re-bid **RFP 2010-307** and **RFP 2010-308**; and Precinct #4-electronic sign.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.010-C FOR:

- a. Indigent Defense Improvement-Equipment Non-Capital/Fees & Services/Equipment Capital
- b. 413<sup>th</sup> District Court-Equipment Non-Capital
- c. Justice of the Peace Court and Guinn Renovation-Fees & Services
- d. Indigent HealthCare-Indigent Care Expense
- e. Justice of the Peace Precinct #1-Equipment Non-Capital
- f. Justice of the Peace Precinct #2-Fees & Services
- g. Justice of the Peace Precinct #3-Fees & Services/Telephone
- h. Justice of the Peace Precinct #4-Equipment Non Capital

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for Indigent Defense Improvement-Equipment Non-Capital in the amount of \$11,397.00; Fees & Services in the amount of \$22,450.00; and Equipment Capital in the amount of \$40,000.00 for Judicial Video Conference costs; 413<sup>th</sup> District Court-Equipment-Non-Capital to purchase two lamps for courtroom in the amount of \$150.00; Justice of the Peace Court and Guinn Renovation-Fees & Services to create a budget for fiber optics lines in the amount of \$65,000.00; Indigent Health Care-Indigent Care Expense for budget shortage in the amount of \$85,000.00; Justice of the Peace, Precinct #1-Equipment Non-Capital to purchase television, stand, and VCR/DVD combo for courtroom in the amount of \$2,400.00; Justice of the Peace, Precinct #2-Fees & Services to create a

budget for leg monitors in the amount of \$5,000.00; Justice of the Peace, Precinct #3-Fees & Services in the amount of \$5,000.00 and Telephone in the amount of \$650.00 to create budget for leg monitors for truancy; and Justice of the Peace, Precinct #4-Equipment Non-Capital to replace broken typewriter in the amount of \$200.00.

All voted aye; motion carried.

3. CONSIDERATION OF LABORATORY SERVICE AGREEMENT WITH KROLL LABORATORY SPECIALISTS, INC. FOR FORENSIC URINE DRUG TESTING-JUVENILE SERVICES

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Laboratory Service Agreement with Kroll Laboratory Specialists, Inc. for Forensic urine drug testing for Juvenile Services and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF DISPOSITION OF SURPLUS ITEMS UNDER LOCAL GOVERNMENT CODE 263.152

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the disposition of surplus items as attached under Local Government Code 263.152.

All voted aye; motion carried.

7. CONSIDERATION FOR JOHNSON COUNTY TO PARTICIPATE IN THE EXPERIENCE WORK PROGRAM

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve for Johnson County to participate in the Experience Work Program.

All voted aye; motion carried.

9. CONSIDERATION TO USE TECH FUND MONEY TO REPLACE A BROKEN TYPEWRITER-JUSTICE OF THE PEACE PRECINCT #4

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve to use Tech Fund Money to replace a broken typewriter for Justice of the Peace Precinct #4.

All voted aye; motion carried.

10. CONSIDERATION TO APPLY FOR THE HEAVY DUTY VEHICLE AND EQUIPMENT GRANT PROGRAM FUNDED BY NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS-PRECINCT #1

Comm. Bailey, seconded by County Judge Roger Harmon, made a motion to apply for the Heavy Duty Vehicle Equipment Grant Program funded by North Central Texas Council of Governments for Precinct #1.

Comm. Bailey voted aye.  
Judge Harmon voted aye.  
Comm. Stringer voted nay.  
Comm. Beeson voted nay.  
Comm. Matthews abstained.

Motion died for lack of majority.

11. CONSIDERATION TO APPLY FOR REIMBURSEMENT OF EXPENSES FROM THE EPA FOR HAZARDOUS SPILLS-EMERGENCY MANAGEMENT

Comm. Beeson, seconded by Comm. Stringer, made a motion to apply for reimbursement of expenses from the EPA for hazardous spills for Emergency Management.

All voted aye; motion carried.

12. CONSIDERATION OF CONTINUATION CERTIFICATE FOR BOND OF PATRICIA BOURGEOIS, JOHNSON COUNTY ELECTIONS ADMINISTRATOR

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the Continuation Certificate for Bond of Patricia Bourgeois, Johnson County Elections Administrator.

All voted aye; motion carried.

13. CONSIDERATION TO PLACE A LINK TO THE STATEWIDE PREPAREDNESS CAMPAIGN ON THE JOHNSON COUNTY EMERGENCY MANAGEMENT WEBSITE

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to place a link to the statewide preparedness campaign on the Johnson County Emergency Management Website.

All voted aye; motion carried.

15. JOHNSON COUNTY BOARD APPOINTMENTS AND REAPPOINTMENTS:

a. Johnson County Economic Development Board-Two Year Terms

1. Reappoint Matt Reynolds-County Judge
2. Appoint Ray Dane-Precinct #1
3. Reappoint Dan Boutwell-Precinct #2
4. Appoint Robert L. Wolfe-Precinct #3
5. Reappoint Chuck McGowan and Jason Fautheree-Precinct #4

Comm. Matthews, seconded by Comm. Stringer, made a motion to reappoint Matt Reynolds as County Judge appointment, appoint Ray Dane as Precinct #1 appointment, reappoint Dan Boutwell as Precinct #2 appointment, appoint Robert L. Wolfe as Precinct #3 appointment and reappoint Chuck McGowan and Jason Fautheree as Precinct # 4 appointment to the Johnson County Economic Development Board for two year terms.

All voted aye; motion carried.

b. Johnson County Emergency Services District #1-Two Year Terms

1. Appoint R.C. McFall-County Judge
2. Reappoint Byron Cobb-Precinct #1
3. Reappoint Jack Watson-Precinct #4

Comm. Bailey, seconded by Comm. Matthews, made a motion to appoint R.C. McFall as County Judge appointment, reappoint Byron Cobb as Precinct #1 appointment and reappoint Jack Watson as Precinct #4 appointment to the Johnson County Emergency Services District #1 for two year terms.

All voted aye; motion carried.

16. CONSIDERATION TO PURCHASE GARRETT X-RAY MACHINE-JUSTICE OF THE PEACE PRECINCT #1

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve to purchase a Garrett X-Ray machine for Justice of the Peace Precinct #1.

All voted aye; motion carried.

18. CONSIDERATION OF SALARY AND QUALIFICATIONS OF EMERGENCY MANAGEMENT COORDINATOR

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve a salary amount of up to \$50,000.000 per year based on qualifications and the minimum requirement of a Bachelors Degree in the area of Emergency Management or related field or High School Diploma with a minimum of five (5) years experience in the Emergency Management field for the Emergency Management Coordinator position.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Consent Agenda.

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 2:37 P.M. to discuss the Holiday Policy; Mud Farm Trucks; and Estray Livestock Procedures.

The Commissioner's Court reconvened into Open Session at 3:21 P.M. to consider the following:

IX. NEW BUSINESS

17. CONSIDERATION TO AMEND THE HOLIDAY POLICY-PERSONNEL

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to amend the Holiday Policy as proposed by the Personnel Director to adjust the four (4) ten (10) hour days to eight (8) hours or however necessary so the holiday hours and work hours equal 40 hours for that week.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 3:23 P.M.

Submitted by: \_\_\_\_\_  
County Clerk  
Curtis H. Douglas

Approved by: \_\_\_\_\_  
County Judge  
Roger Harmon